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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/937,970	10/01/2001	Mikko Hanninen	991.1162	8952

21831 7590 06/18/2003

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EXAMINER

GORDON, STEPHEN T

ART UNIT	PAPER NUMBER
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3612

DATE MAILED: 06/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application

09/937,970

Applicant(s)

Hanninen et al

Examiner

Gordon

Art Unit

3612

Confirmation No.

- The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address -

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- ☒ Responsive to communication(s) filed on 9-4-03
- ☐ This action is FINAL. ☒ This action is non-final.
- ☐ Since this application is in condition for allowance except for the formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- ☒ Claim(s) 1-3, 5-11 + 13-14 is/are pending in this application.
- Of the above claim(s) _____ is/are withdrawn from consideration.
- ☐ Claim(s) _____ is/are allowed.
- ☒ Claim(s) 1-3, 5-11 + 13-14 is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ The proposed drawing correction, filed on _____ is ☐ approved or ☐ disapproved by the Examiner. If approved, corrected drawings are required in reply to this Office action.
- ☐ The drawing(s) filed on _____ is/are ☐ accepted or ☐ objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d) or (f).
- ☐ All ☐ Some* ☐ None of the:
- ☒ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. _____
- ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- *Certified copies not received: _____
- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- ☐ The translation of the foreign language provisional application has been received.
- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- ☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 4
- ☐ Notice of References Cited, PTO-892
- ☐ Notice of Draftperson's Patent Drawing Review, PTO-948
- ☐ Interview Summary, PTO-413
- ☐ Notice of Informal Patent Application, PTO-152
- ☐ Other _____

Art Unit: 3612

DETAILED ACTION

1. In view of applicant's amendments and comments of paper no. 12, and in as much as all of the pending claims are generic and/or read on a single embodiment, the species requirement set forth in the last office action is withdrawn.

2. Claims 1-3, 5-11, and 13-14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In general, the claims are narrative in form and appear to be a near literal translation of a foreign document. Moreover, the instant method claims fail to include active method steps as is typical U.S. practice for process type claims. The claims should be reviewed in their entirety and accordingly amended such that they conform to standard U.S. practice.

The following listing points out additional errors noted by the examiner beyond that discussed immediately above.

Re claim 1, "the cargo unit" in line 3 lacks clear antecedent basis - note the term additionally appears in several other places throughout the claim. The terms "the longitudinal side", "the driving direction thereof" (line 7, note the same term in line 9), "the vertical sides", "their locking arrangement", and "the securing position" lack clear antecedent basis. Additionally, the recited "securing elements" in line 8 and "interlocking coupling" in line 12 are confusing as it is not clear how/if these terms relate back to similar such terms previously recited in the claim.

Art Unit: 3612

Finally, line 8 is awkward and confusing, and --being-- could be inserted before "placed" of the line to correct the claim in this regard.

Re claim 2, "the securing element" lacks clear antecedent basis. Additionally, the recited locking arrangement is confusing and appears to be a double inclusion of the locking arrangement of the base claim

Re claim 3, "the cargo units...securing elements" lacks clear antecedent basis. Additionally, "continuous in strength" is not understood.

Re claim 5, "the securing parts", "the cargo unit", "the securing", "the first locking arrangement", and "the second locking arrangement" lack clear antecedent support.

Re claim 6, "the securing parts" and "the longitudinal direction" lack clear antecedent basis.

Re claim 7, the claim is generally very confusing when compared to the base claim. Moreover, it is not clear if/how the recited semitrailers relate to the cargo units of the base claim - are they the same?? The claim language should be clarified in this regard.

Re claim 8, again the claim is generally very confusing when compared to the base claim. Moreover, it is not clear if/how the recited semitrailers relate to the cargo units of the base claim - are they the same?? The claim language should be clarified in this regard. Additionally, "the securing element" used throughout the claim lacks clear antecedent basis.

Art Unit: 3612

Re claim 9, "the cargo unit" used throughout the claim lacks clear antecedent. The terms "the vertical side", "the driving direction" (line 6, note the same term in line 8), and "the securing position" lack clear antecedent basis.

Re claim 10, the recited locking arrangement is confusing and appears to be a double inclusion of the locking arrangement of the base claim.

Re claim 11, "the securing elements" lacks clear antecedent basis.

Re claim 13, the claim is generally very confusing when compared to the base claim. Moreover, it is not clear if/how the recited semitrailers relate to the cargo units of the base claim - are they the same?? The claim language should be clarified in this regard.

Re claim 14, again the claim is generally very confusing when compared to the base claim. Moreover, it is not clear if/how the recited semitrailers relate to the cargo units of the base claim - are they the same?? The claim language should be clarified in this regard.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-3, 5-6, and 9-11, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Strecker '169.

Strecker includes containers secured to each other and to a ships structure and reads on the noted claims as best understood.

5. Claims 1, 7-8, 9, and 13-14, as best understood, are rejected under 35 U.S.C. 102(b) as being anticipated by Goodwin et al.

Art Unit: 3612


Goodwin et al includes semi-trailers secured to each other and to a vehicle transport structure and reads on the noted claims as best understood.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Note at least Kirchner additionally teaches multiple containers secured in a transport vehicle structure.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Gordon whose telephone number is (703) 308-2556.

stg

June 14, 2003

 6/14/03
STEPHEN T. GORDON
PRIMARY EXAMINER